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7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**
9 **WESTERN DIVISION**

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11 ARCHIE PERDUE, } No. EDCV 08-1266-ODW (AGR)
12 v. Plaintiff, }
13 EVERTH BERCIAN, }
14 Defendants, }
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JUDGMENT

17 Pursuant to the order adopting the magistrate judge's report and
18 recommendation,

19 IT IS ADJUDGED that this action is dismissed without prejudice for failure to
20 prosecute.

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22 DATED: August 28, 2009

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OTIS D. WRIGHT II
UNITED STATES DISTRICT JUDGE